

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JULETTE HINKSON, as Proposed Executor of the
Estate of HILDA EDITHA GILL,

Plaintiff,

-against-

CABRINI OF WESTCHESTER d/b/a ST. CABRINI
NURSING HOME, ABC CORPORATION,
ABC PARTNERSHIP,

Defendants.
-----X

Docket No.: 7:22-cv-09942 (NSR)

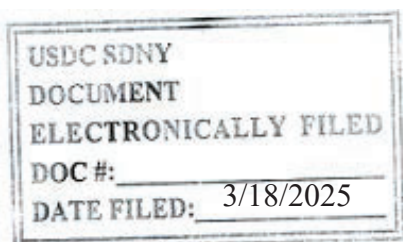
Judge: Hon. Nelson S. Roman

ORDER TO REMAND

UPON review of the Notice of Removal (ECF Doc. No. 1), together with all exhibits thereto, and in light of the Second Circuit's decisions in *Solomon v. St. Joseph Hosp.*, 62 F.4th 54 (2d Cir. 2023), *Leroy v. Hume*, No. 21-cv-2158, 2023 WL 2928353 (2d Cir. Apr. 13, 2023), and *Rivera-Zayas v. Our Lady of Consolation Geriatric Care Ctr.*, No. 21-cv-2164, 2023 WL 2926286 (2d Cir. Apr. 13, 2023);

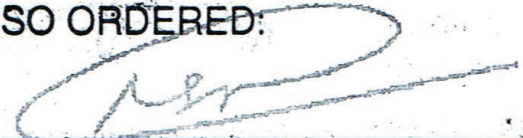
NOW, it is hereby ordered as follows:

1. This matter is remanded to the Supreme Court of the State of New York, Westchester County (index number 59212/2022), from which it was removed.
2. The Clerk is directed to return the file to the state court and close the case.
3. This remand shall be without costs to any party, and without prejudice to Defendant's ability to assert the defenses of immunity and/or preemption under the federal Public Readiness and Emergency Preparedness Act, 42 U.S.C. §§ 247d-6d, 247d-6e.



Dated: White Plains, NY
March 18, 2025

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE